

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

D-3 TAREK FAKHURI. R.Ph.,

Defendant.

Case No. 20-cr-20162 (LVP)(RSW)

Hon. Linda V. Parker

FAKHURI'S RESPONSE OPPOSING MOTION TO ADJOURN

On August 26, 2022, defendant Fakhuri filed a motion to modify conditions of his pretrial release. (Motion: ECF No. 155.) On September 23, 2022, defendant Raef Hamaed filed a motion to continue the trial date of this matter. (Motion: ECF No. 160.) On October 7, 2022, this Court granted the motion, labelling it “unopposed.” (Order: ECF No. 168.)

It is defendant Tarek Fakhuri’s position that his time for responding to the motion to continue did not expire until today. Accordingly, the motion to continue is opposed.

This case was indicted in March 2020 and unsealed in June 2020. By July 2020, each of the defendants with the exception of Fakhuri retained counsel and made an initial appearance.

Over two years later, the need for additional preparation time is difficult to understand. And the request for additional time is frustrating given the fact that Fakhuri cannot return home due to the conditions of his pretrial release. (See Motion: ECF No. 155.)

Fakhuri did not appear in this matter or receive discovery until July 2021. Yet Fakhuri is ready to proceed to trial. Based on the experience of undersigned counsel, there is no reason why this case cannot be tried this year.

Fakhuri has been living day-by-day in Detroit, working with undersigned counsel, and awaiting word from this Court whether he can return home to his family. For the reasons stated in the motion to modify conditions of pretrial release, Fakhuri must oppose adjournment at this time.

* * *

In addition, undersigned counsel is unable to participate in the trial of this matter in February 2023. Undersigned counsel is scheduled for trial in *United States v. John Angelo*, 20-cr-20599 (Leitman, J.) on January 10, 2023, *United States v. Michael Angelo*, 22-cr-20188 (Leitman, J.) on March 31, 2023. In addition, undersigned counsel is not yet made an appearance, but expects to participate in the trial of *United States v. Wansa Makki*, (Parker, J.) on May 23, 2023.

Finally, undersigned counsel has a prepaid family vacation scheduled for the week of February 20, 2023.

Conclusion

For the reasons stated above, Fakhuri opposes the motion to continue.

Respectfully submitted,

/s/ Patrick J. Hurford
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Date: October 7, 2022

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2022, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

Respectfully submitted,

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